

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:10-CV-173-FL

LISSA M. ROHLIK,

Plaintiff,

v.

I-FLOW CORPORATION,

Defendant.

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ORDER

This matter comes now before the court upon plaintiff's motion to compel discovery. Said motion was filed without effort being undertaken in conformity with the court's case management order at section II.D., which provides in pertinent part:

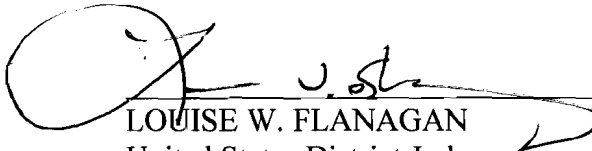
Prior to any filing [of a motion to compel], the complaining party shall convene a conference among the parties and this court by telephone through the office of the case manager, at (252) 638-8534. In the event of a discovery dispute of or relating to written discovery, the party convening the conference shall send via facsimile transmittal directed to the case manager at (252) 638-1529, the submissions in discovery most directly bearing on the particular dispute, for the court's review in advance of telephonic conference. Motions to compel filed after the deadline and/or without advance conference with the court, absent extenuating circumstances, summarily will be denied.

Extenuating circumstances not appearing, said motion is DENIED, without prejudice to renewal after conference with the court, should plaintiff determine that deficiencies remain in discovery and initiate same. Further attempt, however, is ORDERED to be made to achieve negotiated resolution

of issues in dispute before convening conference.

In the case management order to which reference herein is made, the court directed the parties to submit briefs detailing their arguments regarding applicability of limitations on depositions of witnesses whose depositions have been taken in other cases. The parties' briefs in this regard were submitted on November 21, 2011, and remain under consideration.

This the 14th day of December, 2011.



LOUISE W. FLANAGAN
United States District Judge